



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, November 30, 2009 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	January 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Secretary, Public Member  
Leila Lord-Dufaj, Professional Member  
Mark A. Rubio, Public Member  
Brenda Porter, Professional Member  
Cecilia Jones, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Kelly, Deputy Attorney General  
Barbara Gadbois, State Deputy Attorney General  
Judy Letterman, Administrative Specialist III

**MEMBERS ABSENT**

John H. Cook, Vice-President, Professional Member  
Marina T. Pini, President, Professional Member  
Richard Shultie, Jr., Professional Member  
Kathryn Lord, Professional Member

**OTHERS**

Larry Le  
Alton Bolden

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:15 a.m.

### **REVIEW OF MINUTES**

A motion was made by Mr. Rubio seconded by Ms. Porter to approve the October 23, 2009 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

#### **Disciplinary Hearing-Larry Le**

The hearing was called to order at 9:15 a.m.

Ms. Heeney stated that the reason for the hearing was due to a complaint file by the Office of the Attorney General for violating 24 Del C. Section 5113(a) (7) and Rule 14.1.

Ms. Heeney informed Mr. Le, who did not have representation, that he the right to have an attorney. He agreed to proceed with the hearing without representation.

Board members were introduced with Ms. Nellius was presiding.

Ms. Gadbois asked that State Exhibit 1 be admitted as evidence and gave testimony that Mr. Le had allowed an unlicensed individual to provide eyebrow-waxing services.

Mr. Le gave testimony stating that he was unaware a nail technician could not provide waxing services and has since hired a cosmetologist.

Ms. Gadbois stated that Mr. Le has been open and honest and that the State's recommendation was for the Board to issue Mr. Le a Letter of Reprimand.

The Board went off the record and into deliberations.

The Board went back on the record.

A motion was made by Ms. Porter, seconded by Ms. Nellius, that there was a violation and to accept the States recommendation to issue a Letter of Reprimand. The motion was unanimously carried.

Verbatim testimony was taken by the court reporter.

#### **Rule to Show Cause Hearing-Migdalia Lynch**

The hearing was called to order at 9:38 a.m.

Ms. Kelly stated that the reason for the hearing was for the Board to determine if the license of Migdalia Lynch should be revoked due to non-payment of her license.

Board members were introduced.

Ms Heeney introduced Board Exhibit 1, a copy of the certified letter of today's hearing dated October 30, 2009, and Exhibit 2, the tracking notice from the United States Postal Service.

Ms. Lynch was not in attendance.

The Board members were introduced.

Ms. Letterman was sworn in and gave testimony on the delivery of the hearing notification.

The Board went off the record and into deliberation.

The Board went back on the record.

A motion was made by Ms. Nellius seconded by Ms. Porter to suspend her license upon mailing of the order, allow 30 days after mailing to pay the fee, send the Order both regular and certified mail, the payment must be made by money order or certified check and if not paid within 30 days, the license will be revoked. The motion was unanimously carried.

Verbatim testimony was taken by the court reporter.

#### Re-Review of Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio to approve the applications of C's Barber Shop and La Shelly Hair Design. The motion was unanimously carried.

#### Final Denial of Applications

A motion was made by Mr. Rubio, seconded by Ms. Nellius to deny the applications of Barbara Sanderlin due to the lack of response or request for a hearing after being notified that the Board had proposed to deny her application. The motion was unanimously carried.

#### **New Business**

##### Review of Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio to approve the applications of Michele Lappin, Susan Steward, Edward Bradley, Katia Richardson, Maria Henderson and Jamie Shanklin. The motion was unanimously carried.

##### Review of Salon/School Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Esteem Professional Haircare, Hair Fx Salon, LA Nails, Perfect Nails & Tanning,

Today's Nails, William Boyd & Company, Estetica & Peluqueria Newport and Salon Ambiance. The motion was unanimously carried.

A motion was made by Ms. Nelliuss, seconded by Mr. Rubio to contingently approve the application of Renee's Salon pending proof of a licensed massage therapist, to contingently approve the application of Log Cabin Hair De Zine pending verification of a business license and to table the application of City Slickers, Inc pending verification that the shop is in compliance with the shop floor plan. The motion was unanimously carried.

#### Ratification of Applications

A motion was made by Mr. Rubio, seconded by Ms. Lord, to ratify the applications of Nicole Cahall, Kim Anh Le, Phuong Nguyen, John Vu, Thao Quach-nail technician, Thao Quach-aesthetician, Chau Sulaiman, and Megan Nguyen. The motion was unanimously carried.

#### Complaint Status

08-01-08- Office of the Attorney General  
08-03-08- Office of the Attorney General  
08-04-08- Office of the Attorney General  
08-13-08- Office of the Attorney General  
08-15-08- Office of the Attorney General  
08-16-08- Office of the Attorney General  
08-22-08- Office of the Attorney General  
08-23-08- Office of the Attorney General  
08-24-08- Office of the Attorney General  
08-26-08- Office of the Attorney General  
08-27-08- Office of the Attorney General  
08-28-08- Office of the Attorney General  
08-29-08- Office of the Attorney General  
08-30-08- Assigned  
08-39-08- Assigned  
08-46-08- Assigned  
08-48-08- Office of the Attorney General  
08-52-08- Office of the Attorney General  
08-53-08- Office of the Attorney General  
08-54-08- Assigned  
08-57-08- Office of the Attorney General  
08-58-08- Office of the Attorney General  
08-59-08- Office of the Attorney General  
08-03-09- Office of the Attorney General  
08-04-09- Office of the Attorney General  
08-05-09- Office of the Attorney General  
08-06-09- Office of the Attorney General  
08-07-09- Office of the Attorney General  
08-08-09- Office of the Attorney General  
08-09-09- Office of the Attorney General  
08-11-09- Office of the Attorney General

08-12-09-Assigned  
08-13-09-Assigned  
08-14-09- Office of the Attorney General  
08-15-09- Office of the Attorney General  
08-16-09- Office of the Attorney General  
08-17-09- Office of the Attorney General  
08-18-09- Office to the Attorney General  
08-21-09- Office of the Attorney General  
08-22-09- Assigned  
08-23-09- **Closed**  
08-24-09- Office of the Attorney General  
08-25-09- Assigned  
08-26-09- Assigned  
08-28-09- Assigned  
08-29-09- Office of the Attorney General  
08-30-09- Office of the Attorney General  
08-31-09- **Closed**  
08-32-09- **Assigned and Closed**  
08-33-09- **Closed**  
08-34-09- **Assigned and Closed**  
08-35-09- **Assigned and Closed**  
08-36-09- **Assigned and Closed**  
08-38-09- **Assigned and Closed**  
08-39-08- Office of the Attorney General  
08-40-09- Office of the Attorney General  
08-41-09- Office of the Attorney General  
08-42-09- Office of the Attorney General  
08-43-09- Office of the Attorney General  
08-44-09- Assigned  
08-45-09- Assigned  
08-46-09- Office of the Attorney General  
08-47-09- Office of the Attorney General  
08-48-09- Office of the Attorney General  
08-49-09- Assigned

#### Review of Examination Application-Deputy Attorney General

Ms. Heeney reviewed Sherita Hill's criminal report and determined that the crime(s) were not on the Board's list of crimes that would prevent licensure. The application was approved and will be processed.

#### Request for ADA Accommodations

A motion was made by Ms. Nellius, seconded by Ms. Porter to approve the ADA accommodation request of Samatia Gordy. The motion was unanimously carried.

### **Other Business Before the Board**

The Rule and Regulation Committee will meet directly after the regular meeting.

### **Public Comment**

Mr. Alton Bowden asked if he would be required to submit a new shop application since he is expanding his barbershop to include cosmetology service. The Board informed him that he would not have to submit a new application.

### **Next Scheduled Meeting**

The next meeting will be held on Monday, January 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

### **Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Porter, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 10:15 a.m.

Respectfully submitted,

Judy Letterman  
Administrative Specialist, III